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May 22, 2019

VIA EMAIL (david.stark@psc.sc.gov)

David W. Stark, III, Esquire
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

RECEIVED

MAY 28 2019

PSC SC
MAIL / DMS

RE: Stephen and Beverly Noller and Michael and Nancy Halwig v. Daufuskie
Island Utility Company, Inc.

Docket No.: 2018-364-WS

NMRS File No. 054041/09000 and

NMRS File No. 055561/09000

Dear Mr. Stark:

It has been over two months since the hearing on the above-referenced matter. In the two weeks that followed, attempts were made to resolve the matter with a settlement agreement discussed and preliminarily put on the record at the hearing. Two issues remain to be resolved for that settlement to be achieved. Petitioners' specifically requested that mediation be provided so that this settlement agreement could hopefully be achieved. There has been no information from the ORS, PSC or anyone involved regarding the status of this appeal and this request since the April 11, 2019 response of the ORS to Petitioners' request.

The Commission ended the hearing strongly recommending settlement. Daufuskie Island Utility Company ended negotiating with Petitioners on the settlement announced at the terminated hearing; Petitioners did not stop negotiating. In light of the length of time with no communication concerning this matter, I must request that the Commission either schedule another hearing or the mediation as requested in order for this matter to come to a conclusion. While there are substantive issues not yet resolved without a decision from the Commission, the settlement would resolve the issues and include a process for the ORS and Commission to oversee DIUC in the future regarding this matter. It is in everyone's best interest to conclude this matter without further appeals and to allow the Petitioners to continue to have the use of their homes without being under such a cloud of uncertainty with their sole provider of essential water and sewer services.

David Stark, Esquire

Page 2

Please let me know if any additional information is needed for the Commission or its staff to act on Petitioners' request for mediation.

With best regards, I am

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jack", written in dark ink.

Newman Jackson Smith

NJS:mam

cc: Andrew M. Bateman, Esq. (abateman@regstaff.sc.gov)
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